

An Act to authorize the erection and main-<sup>TAMWORTH CATTLE</sup>  
tenance of Cattle Sale-yards by the Borough <sup>SALE-YARDS.</sup>  
Council of Tamworth within the Borough  
of Tamworth. [22nd July, 1884.]

**W**HIEREAS certain land being suburban portion numbered forty-<sup>Preamble.</sup>  
eight containing by admeasurement four acres three roods and  
thirty-seven perches more or less situate within the Municipality styled  
the Borough of Tamworth and more particularly described in the Schedule  
hereto has been reserved and dedicated as a site for cattle sale-yards  
And whereas it is expedient that yards for the sale of cattle should be  
established on the said land and it is necessary for such purpose that full  
power should be given to the said Council to erect and maintain suitable  
buildings and yards on such land and for such purpose to borrow money  
and to charge fees and make by-laws for the maintenance and regula-  
tion of such sale-yards Be it therefore enacted by the Queen's Most  
Excellent Majesty by and with the advice and consent of the Legis-  
lative Council and Legislative Assembly of New South Wales in Parlia-  
ment assembled and by the authority of the same as follows:—

1. In the construction and for the purpose of this Act—<sup>Interpretation clause</sup>  
The word "Cattle" shall include horses mares geldings foals oxen  
bulls cows horned cattle steers heifers calves pigs sheep lambs  
and goats.

The word "Council" shall mean the Borough Council of Tamworth.

*Tamworth Cattle Sale-yards.*

Council may erect and maintain premises.

2. It shall be lawful for the Council to erect and maintain suitable buildings yards and other premises upon the land described in the Schedule to this Act for the purpose of making provision for the sale of cattle therein.

Power to Council to borrow money.

3. To provide funds for the erection and maintenance of buildings yards and premises as aforesaid it shall be lawful for the Council to borrow any sum of money not exceeding four thousand pounds at a rate of interest not to exceed eight pounds per centum per annum by debentures secured upon a mortgage of the rates fees and tolls to be levied as herein provided on the general revenue of the said borough from whatever source arising as in the opinion of the Council may be deemed most expedient. Provided that the proceeds to arise from such rates fees or tolls and all other profits accruing from the use of such sale-yards and premises received by the Council shall after payment of all current expenses incident to the maintenance of such sale-yards and premises be applied towards the payment of the principal sum so borrowed and any interest thereon accrued and an account to be called the "Cattle Sale-yards Fund" shall be kept by the Council.

Power to appoint officers and make by-laws.

4. The Council may from time to time appoint officers and servants and make by-laws for the maintenance regulation and management of the said yards and premises and for determining the fees and charges to be paid as hereinafter provided and the times and modes of collecting and enforcing the payment thereof and generally for carrying out the purposes of this Act. And such by-laws shall clearly set forth what pecuniary or other penalty or forfeiture shall be incurred by any breach thereof respectively. Provided always that no such pecuniary penalty shall in any case exceed the sum of five pounds.

No penalty to exceed five pounds.

Proof of by-laws.

5. All such by-laws shall after approval by the Governor with the advice of the Executive Council be published in the *Government Gazette* and in at least one local newspaper and the production of the *Gazette* purporting to contain a copy of any such by-laws shall be sufficient evidence in any proceeding in any Court of Justice that such by-laws have been duly made and approved in accordance with the provisions of this Act.

Power to demand and take fees.

6. So soon as any such sale-yards shall be established and by-laws approved and published the Council may demand and take in respect of any cattle brought to any such sale-yards or yarded in or brought to any other sale-yard within the Borough of Tamworth if such cattle be intended for sale by public auction or private contract the fees or charges mentioned in the said by-laws. Provided that the fees or charges levied by the said Council upon cattle brought to other sale-yards shall not exceed those levied upon cattle yarded in or brought to the sale-yards established under this Act.

Recovery of penalties.

7. All sums of money which shall be imposed or made payable and all penalties and forfeitures incurred under this Act or any by-laws hereunder may be recovered at the suit of the Council or the Clerk of the Council in a summary way before any Justice of the Peace under the provisions of the Act or Acts for the time being in force regulating proceedings on summary convictions and if any such sum of money or penalty be not paid either immediately after the order or conviction or within the time appointed by such order or conviction the same shall be levied by distress and sale of the goods and chattels of the offender or person directed by such order or conviction to pay any such sum or penalty as aforesaid and on failure of distress shall be enforced in the manner directed by the said Act or Acts subject however to an appeal in the manner provided by the Act or Acts for the time being in force regulating appeals from Justices of the Peace.

Short title.

8. This Act may be cited as the "Tamworth Cattle Sale-yards Act of 1884."

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*Boorowa Roman Catholic Church Land Sale.*

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## SCHEDULE.

All that parcel of land in the Colony of New South Wales adjoining the town of Tamworth in the county of Inglis parish of Tamworth being suburban portion numbered forty-eight containing by admeasurement four acres three roods and thirty-seven perches more or less included within the following boundaries Commencing at a point on the town boundary of Tamworth and on the north side of Marius-street bearing west and distant one hundred links from the south-west corner of portion numbered forty-seven in the parish and county aforesaid and bounded thence on the south by Marius-street west four hundred and thirteen links to a stake bearing south nineteen degrees and fifteen minutes west from a gum-tree marked broad-arrow over forty-eight distant fifty links and bounded thence on the south-west by a road one hundred and fifty links wide bearing north fifty-three degrees west two chains and ninety-seven links to the south-east corner of portion forty-nine and bounded thence on the west by a line bearing north six hundred and twenty links to a stake forming the north-east corner of portion forty-nine and bounded thence on the north by a road one hundred links wide bearing east six chains fifty links to a stake bearing west one hundred links from the north-west corner of portion forty-seven and bounded thence on the east by a line bearing south eight hundred links to the point of commencement.

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